

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

NIKHIL BHARADWAJ JOIS,)

Plaintiff,)

v.)

Case No.: 1:24-cv-01509-JPH-MKK

INDIANA UNIVERSITY, INDIANA)

UNIVERSITY BOARD OF TRUSTEES,)

EMILY C. WALVOORD, JAY L. HESS,)

IYABODE OKORO, ANDREW S.)

DEANE, MICHAEL J. KLEMSZ,)

ABIGAIL KLEMSZ, AND)

JOHN DOES 1-25,)

Defendants.)

PLAINTIFF'S PRELIMINARY STATEMENT OF DAMAGES

TOTAL POTENTIAL DAMAGES: \$6,769,300

See attached detailed list of damages as calculated by Plaintiff.

/s/ Lawrence A. Katz

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Attorney for Plaintiff

Damage Category	Type of Damage	Description	Plaintiff's Experience	Calculation/Basis	Amount
Economic	Tuition & Fees	Reimbursement for unsatisfactory education due to inadequate resources, discriminatory treatment, breaches of contract, and wrongful dismissal.	Paid \$50,000/year for four years, totaling \$200,000. Experienced inadequate resources at Gary campus, discriminatory treatment, and breaches of contract.	\$50,000/year x 4 years	\$200,000
Economic	Living Expenses	Reimbursement for wasted living expenses due to wrongful dismissal.	Incurred \$20,000/year for four years (\$80,000 total) in essential living expenses.	\$20,000/year x 4 years	\$80,000
Economic	Lost Wages During Medical School	Lost earning potential due to attending medical school and subsequent wrongful dismissal.	Forfeited potential earnings of \$50,000/year for four years (\$200,000).	\$50,000/year x 4 years	\$200,000
Economic	Missed Residency Salary	Lost residency income due to dismissal and inability to pursue desired specialty.	Expected to earn a specialist residency salary (estimated at \$200,000/year) but faces lower earning potential as a primary care physician.	(\$200,000-\$60,000) x 3 Years	\$420,000
Economic	Lifetime Earnings Loss	Diminished lifetime earning potential due to IUSM's actions,	Projected difference in lifetime earnings between primary care vs. pursued specialty.	Difference between specialist earnings over 30 years and actual earnings	\$3,500,000

		exacerbated mental health conditions, and missed opportunities.		(\$10,000,000 - \$6,500,000 projected), discounted to present value.	
Economic	Loan Repayment Issues	Financial hardship and missed loan payments due to dismissal.	Missed loan payments (\$3,600) and incurred late fees/penalties (\$500).	\$3,600 (missed payments) + \$500 (interest/penalties)	\$4,100
Economic	Student Loan Interest	Increased interest costs due to extended repayment period necessitated by IUSM's actions.	Extended repayment period resulted in increased interest costs on original loan amount (\$228,000).	\$228,000 x 6% x 10 years, adjusted for the period attributable to extended repayment.	\$136,800
Economic	Relocation Costs	Moving expenses incurred due to IUSM's requirement to relocate from Gary to Indianapolis.	Incurred relocation costs.	Actual costs of moving (documented).	\$3,500
Economic	Future Educational Costs	Costs for remedial education to address academic deficiencies and knowledge gaps resulting from IUSM's substandard education and emotional distress.	Will incur future costs for courses/materials (\$7,000 total).	\$5,000 (courses) + \$2,000 (materials)	\$7,000

Economic	Credit Score Impact	Reduced credit score due to financial difficulties caused by IUSM's actions.	Decline in credit score due to missed loan payments and accumulating debt.	Quantify impact through expert analysis, focusing on increased interest rates and reduced creditworthiness.	\$10,000
Economic	Debt Accumulation	Additional debt burden due to delayed career start and lost earning potential.	Accumulated additional debt (\$20,000) including credit card debt and personal loans.	Actual documentation of debt incurred directly related to the period following dismissal.	\$20,000
Economic	Interest Accumulation	Accrued interest on additional debt accumulated due to IUSM's actions.	Interest charges accumulated on the \$20,000 of additional debt.	Based on interest rates, principal balance, and repayment terms.	\$15,000
Economic	Salary Loss (Geospatial)	Reduced earnings in geospatial analytics job due to damaged academic record and/or reputation resulting from IUSM's actions.	Received a lower salary offer (\$55,000) than anticipated (\$85,000).	\$85,000 (expected) - \$55,000 (received)	\$30,000
Economic	Expired GMAT/MBA	Lost MBA opportunity due to psychological distress and social isolation preventing GMAT retake.	Unable to retake GMAT before expiration, preventing application to MBA programs.	Estimated potential increased earning capacity with MBA over career lifespan.	\$25,000

Economic	Legal Fees	Legal representation costs for pursuing the lawsuit against IUSM.	Costs associated with retaining legal counsel.	Attorney fees (\$20,000) and court costs (\$1,000).	\$21,000
Non-Economic	Emotional Distress	Severe psychological harm including anxiety, depression, and PTSD, exacerbated by IUSM's actions.	Diagnosed with anxiety, depression, and PTSD. Experienced false accusations, public disclosure of academic status, substandard learning environment, inadequate response to sexual assault incident, delayed/inaccurate OSCE feedback and grades, delayed Step 1 score reporting, pressure to retake Step 1, unjust dismissal and withdrawn appeal, resulting in sleep disturbances, panic attacks, difficulty concentrating, social isolation, and feelings of shame and humiliation.	Expert testimony establishing causation and severity, linking IUSM's actions to psychological harm exceeding typical academic stress.	\$500,000
Non-Economic	Loss of Enjoyment of Life	Reduced ability to enjoy life and engage in hobbies and social interactions due to mental health conditions.	Diagnosed mental health conditions impacted ability to engage in previously enjoyed activities and social interactions, resulting in social isolation, withdrawal from activities, and strained relationships, negatively impacting overall quality of life.	Demonstrate IUSM's actions directly caused the decline in quality of life, going beyond the normal stress of medical school.	\$250,000
Non-Economic	Pain & Suffering	Physical and emotional pain caused by prolonged and intense	Experienced substantial mental anguish including feelings of helplessness, hopelessness,	Focus on severity and duration, demonstrating it exceeds typical academic	\$300,000

		emotional distress from IUSM's actions.	worthlessness, fear, and shame. Anxiety caused insomnia and other physical and mental effects.	stress. Connect psychological impact to IUSM's conduct.	
Non-Economic	Loss of Reputation	Damage to professional standing within the IUSM community and beyond due to false accusations and public disclosure of academic standing.	False cheating accusations and public disclosure of academic standing created an unfair perception of dishonesty or incompetence, undermining trust and jeopardizing future opportunities.	Requires evidence demonstrating a negative impact on reputation and potential future within medical and related fields. Focus on professional stigma and impact on employment prospects.	\$400,000
Non-Economic	Diminished Quality of Life	Overall decline in well-being due to combined effects of stress, anxiety, social isolation, career setbacks, and mental health conditions.	Stress, anxiety, social isolation, career setbacks, and mental health conditions resulted in a significant reduction in overall quality of life, impacting daily functioning and future aspirations.	Evidence should demonstrate a broad negative impact distinct from emotional distress, emphasizing consequences on life satisfaction and quality of life. Connect these to missed opportunities.	\$200,000
Non-Economic	Loss of Future Opportunities	Missed opportunities, including pursuing an MBA and limitations on professional opportunities within healthcare and other career paths, due to	Expired GMAT prevented pursuit of MBA program, and dismissal imposed limitations on professional opportunities due to associated stigma.	Requires expert testimony quantifying the financial impact of missing out on the MBA and/or alternative career paths. Focus on the financial impact of	\$150,000

		IUSM's actions and dismissal.		educational delay and career limitations.	
Non-Economic	Future Psychological Treatment	Ongoing therapy needs to address the long-term psychological effects of IUSM's actions.	Ongoing therapy and mental health treatment needed to address anxiety, depression, and PTSD.	Expert testimony is crucial to justify the nature, duration, and cost of future treatment. Establish that the need for treatment is a direct consequence of harm caused by IUSM.	\$52,000
Non-Economic	Significant Career Impairment	Professional setbacks and limitations on career trajectory within healthcare and related fields due to dismissal and underlying accusations.	Dismissal significantly impairs career trajectory within healthcare and other fields.	Expert testimony quantifying long-term impact on career prospects, promotions, and earnings, considering how stigma surrounding IUSM's actions will hinder future opportunities.	\$100,000
Non-Economic	Relationship Distress	Damage to personal relationships with family and friends due to ongoing stress, anxiety, social isolation, and emotional toll of dealing with IUSM's actions and dismissal.	Strained relationships with family and friends due to stress, anxiety, and emotional toll.	Documenting the breakdown of specific relationships and linking deterioration to stress caused by IUSM's actions is essential. Emphasize lasting harm to personal relationships and support networks.	\$75,000